

CORRECTED FISCAL MEMORANDUM
HB 4213 – SB 4196

April, 25 2008

SUMMARY OF AMENDMENT (015210): Makes the proposed revocation of driving privileges dependent upon a determination that by a preponderance of the evidence the results of the breathalyzer test or the chemical blood test show the person drove or was in actual control of a motor vehicle while under the influence of alcohol or drugs. Adds language that establishes the sole issues for driver license revocation hearings.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue - \$0 / FY08-09
\$2,320,500 / FY09-10
\$5,400,300* / FY10-11 and Succeeding Years

Increase State Expenditures –
\$2,786,500 / FY08-09 (included in the Governor's FY08-09 Budget)
\$105,000/One-Time/FY09-10
\$6,232,200*/Recurring/FY09-10 and Succeeding Years

Increase Local Revenue - \$68,700
Increase Local Expenditures** \$1,680,000/One-Time/FY08-09
\$460,700/Recurring/FY09-10

Other Fiscal Impact - No revenue will be generated in FY08-09. Program costs of \$2,786,500 in FY08-09 will be funded by a one-time appropriation included in the Governor's FY08-09 Budget. Program costs will increase to a total of \$6,337,200 for FY09-10 (one-time and recurring). Program costs in FY09-10 will be funded partially by revenue in the amount of \$2,320,500. A one-time appropriation of \$4,016,700 will be required in FY09-10 to fund the difference. Beginning in FY10-11, revenue will increase to \$5,400,300 per year and recurring program costs will remain at \$6,232,200 per year.

*For clarity, revenue and expenditures are shown as cumulative rather than incremental in each year.

**Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

HB 4213 – SB 4196 (CORRECTED)

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On April 21, we issued a fiscal memorandum for this bill as amended indicating an estimate that was *unchanged from the original fiscal note*. Since April 21, 2008, the fiscal note for the original bill has been revised based on new information provided by the Administrative Office of the Courts. As a result, the estimate for the bill as amended has been revised to reflect the corrected fiscal note for the original bill.

Unchanged from the corrected fiscal note for the original bill.

Assumption applied to amendment:

- According to the Department of Safety, this amendment will not change the impact as estimated for the original bill.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and "W".

James W. White, Executive Director

/rnc